

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	DATE FILED: _____
v.	:	CRIMINAL NO: 04-
BYRON DARBY,	:	VIOLATIONS: 21 U.S.C. § 846
a/k/a "Bubba"	:	(Conspiracy to distribute more than 5
WENDELL MASON,	:	kilograms of cocaine - 1 Count)
CARLOS COLEMAN,	:	21 U.S.C. § 841(a)(1) (Distribution of
a/k/a "Fat Boy,"	:	cocaine - 2 Counts)
DANA WILLIAMS,	:	21 U.S.C. § 841(a)(1) (Possession of
a/k/a "Lil Man,"	:	cocaine with intent to distribute -1 Count)
KEITH WRODA,	:	18 U.S.C. § 2 (Aiding and abetting)
JULIUS THIGPEN,	:	21 U.S.C. § 841(a)(1) (Possession of crack
a/k/a "June,"	:	cocaine with intent to distribute -1 Count)
DEBRA MCDUFFIE	:	18 U.S.C. § 1956 (a)(1)(B)(i) (Money
	:	laundering - 1 Count)
	:	26 U.S.C. § 7201 (Tax evasion - 2 Counts)
	:	26 U.S.C. § 7203 (Failure to file - 2
	:	Counts)
		Notice of forfeiture

INDICTMENT

COUNT ONE

(Conspiracy to Distribute Cocaine)

THE GRAND JURY CHARGES:

From at least in or around December 2000, to in or around June, 2001, in the
Eastern District of Pennsylvania, and elsewhere, the defendants,

BYRON DARBY,
 a/k/a "Bubba,
WENDELL MASON,
CARLOS COLEMAN,
 a/k/a "Fat Boy,"
DANA WILLIAMS,
 a/k/a "Lil Man,"

**KEITH WRODA,
JULIUS THIGPEN,
a/k/a “June,” and
DEBRA MCDUFFIE,**

knowingly conspired and agreed together and with others known and unknown to the grand jury, to possess with intent to distribute a controlled substance, that is, an amount in excess of five kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

MANNER AND MEANS

1. It was the plan and purpose of the conspiracy to transport cocaine from Chicago, Illinois and other locations, to the Eastern District of Pennsylvania, then distribute the cocaine in the Eastern District of Pennsylvania and elsewhere.

2. It was a part of the conspiracy that defendant **BYRON DARBY, a/k/a “Bubba,”** utilizing Mexican sources in Chicago, supplied kilogram quantities of cocaine to defendants **WENDELL MASON, CARLOS COLEMAN, a/k/a “Fat Boy,”** and **DANA WILLIAMS, a/k/a “Lil Man,”** and others known and unknown to the grand jury, for distribution in the Eastern District of Pennsylvania and elsewhere.

It was further part of the conspiracy that:

3. Defendant **KEITH WRODA** facilitated the transportation of kilograms of cocaine from Chicago to the Eastern District of Pennsylvania by constructing secret compartments inside cars supplied by defendants **BYRON DARBY, a/k/a “Bubba,”** and **WENDELL MASON.**

4. Defendants **WENDELL MASON, CARLOS COLEMAN, a/k/a “Fat Boy,”** and **DANA WILLIAMS, a/k/a “Lil Man,”** utilizing rental cars and automobiles outfitted with secret compartments, transported bulk quantities of cocaine from Chicago, Illinois to the Eastern District of Pennsylvania.

5. Defendant **WENDELL MASON** stored bulk quantities of cocaine obtained by members of the conspiracy, at his apartment, located at 57 Bonnie Gellman Court, Philadelphia.

6. Defendants **BYRON DARBY, a/k/a “Bubba,” WENDELL MASON, CARLOS COLEMAN, a/k/a “Fat Boy,” DANA WILLIAMS, a/k/a “Lil Man,”** and **KEITH WRODA,** to facilitate the trafficking of cocaine, communicated with each other by means of pagers and cellular and land line telephones.

7. Defendants **WENDELL MASON** and **CARLOS COLEMAN, a/k/a “Fat Boy,”** paid defendant **BYRON DARBY, a/k/a “Bubba,”** for the bulk quantities of cocaine by transporting cash to Chicago and giving it to defendant **DARBY.**

8. Defendants **JULIUS THIGPEN, a/k/a “June,”** and **DEBRA MCDUFFIE** were fronted quantities of cocaine to sell by defendant **WENDELL MASON** during the conspiracy. Defendants **THIGPEN** and **MCDUFFIE** then sold the cocaine and paid defendant **MASON** for the cocaine that had been fronted to them to sell.

OVERT ACTS

In furtherance of the conspiracy, and to achieve its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about December 21, 2000, **WENDELL MASON** had a telephone

conversation in which **MASON** was attempting to make arrangements to drive to Youngstown, Ohio to pick up four kilograms of cocaine from **BYRON DARBY** at \$19,000 per kilogram.

2. On or about January 23, 2001, **WENDELL MASON** spoke on the telephone to a representative of AAA (the automobile club) to arrange for a printout of the route from the Pennsylvania Turnpike to Chicago, Illinois.

3. On or about January 27, 2001, **WENDELL MASON** spoke on the telephone to **DEBRA MCDUFFIE** to make arrangements with her to travel with him to Chicago, Illinois to “do that thing,” meaning pick up kilograms of cocaine.

4. On or about January 30, 2001, **WENDELL MASON** spoke on the telephone with **BYRON DARBY** to confirm that the cocaine deal was still on.

5. On or about February 2, 2001, **WENDELL MASON** and **DEBRA MCDUFFIE** drove to Chicago, Illinois.

6. On or about February 5, 2001, **WENDELL MASON** spoke on the telephone to **CARLOS COLEMAN** to make arrangements to travel together to Chicago, Illinois to pick up kilograms of cocaine.

7. On or about February 10, 2001, **WENDELL MASON** and **CARLOS COLEMAN** traveled to Chicago, Illinois to pick up kilograms of cocaine from **BYRON DARBY**.

8. From on or about February 10, 2001, to on or about February 14, 2001, **WENDELL MASON** and **CARLOS COLEMAN** obtained ten kilograms of cocaine from **BYRON DARBY** in Chicago, Illinois.

9. On or about February 14, 2001, **WENDELL MASON** and **CARLOS**

COLEMAN drove from Chicago, Illinois to Philadelphia, Pennsylvania.

10. Between on or about February 14, 2001 and February 20, 2001, **WENDELL MASON** and **CARLOS COLEMAN** distributed ten kilograms of cocaine.

11. On or about February 21, 2001, **WENDELL MASON** traveled to Chicago, Illinois to pick up additional kilograms of cocaine from **BYRON DARBY**.

12. On or about February 24, 2001, **BYRON DARBY** delivered two kilograms of cocaine to **WENDELL MASON** in Chicago, Illinois.

13. On or about February 25, 2001, **WENDELL MASON** traveled to Philadelphia, Pennsylvania.

14. On or about February 26, 2001, **WENDELL MASON** had a telephone conversation with **JULIUS THIGPEN** in which **MASON** agreed to supply nine ounces or one-half of a kilogram to **THIGPEN**.

15. On or about February 27, 2001, **WENDELL MASON** spoke on the telephone to **KEITH WRODA** to ask **WRODA** to install in **MASON's** car a hidden compartment large enough to store "ten," meaning ten kilograms of cocaine.

16. On or about May 4, 2001, **WENDELL MASON** traveled to Chicago, Illinois to have **KEITH WRODA** install a hidden compartment in **MASON's** car for the purpose of transporting kilograms of cocaine.

17. On or about May 6, 2001, **WENDELL MASON** had a telephone conversation with **KEITH WRODA** in which **WRODA** advised **MASON** that the hidden compartment will hold "only four," meaning four kilograms of cocaine.

18. On or about May 7, 2001, **WENDELL MASON** had a telephone

conversation with **KEITH WRODA** in which **WRODA** advised **MASON** that the hidden compartment will hold “five or six,” meaning five or six kilograms of cocaine.

19. On or about May 8, 2001, **WENDELL MASON** had a telephone conversation with **CARLOS COLEMAN** in which **COLEMAN** asked **MASON** whether **BYRON DARBY** was “loaded,” meaning did he have any cocaine to sell.

20. On or about June 6, 2001, **WENDELL MASON** met with **KEITH WRODA** in Chicago, Illinois to pick up **MASON**’s car that **WRODA** had equipped with a hidden compartment.

21. On or about June 10, 2001, **WENDELL MASON** traveled to Chicago, Illinois to pick up 15 kilograms of cocaine from **BYRON DARBY**.

22. On or about June 11, 2001, **CARLOS COLEMAN** traveled to Chicago, Illinois to assist **WENDELL MASON** in transporting kilograms of cocaine back to Philadelphia, Pennsylvania.

23. On or about June 12, 2001, **DANA WILLIAMS** traveled to Chicago, Illinois to assist **WENDELL MASON** in transporting kilograms of cocaine back to Philadelphia, Pennsylvania.

24. On or about June 13, 2001, **BYRON DARBY** delivered 15 kilograms of cocaine to **WENDELL MASON**, **CARLOS COLEMAN**, and **DANA WILLIAMS** in Chicago, Illinois.

25. On or about June 13, 2001, **WENDELL MASON**, **CARLOS COLEMAN**, and **DANA WILLIAMS** transported 15 kilograms of cocaine from Chicago, Illinois to Philadelphia, Pennsylvania.

26. On or about June 14, 2001, **WENDELL MASON** possessed five kilograms of cocaine in Philadelphia, Pennsylvania.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

(Distribution of Ten Kilograms of Cocaine)

THE GRAND JURY FURTHER CHARGES:

From on or about February 14, 2001 to on or about February 21, 2001, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, and elsewhere, defendants,

**BYRON DARBY,
a/k/a “Bubba,
WENDELL MASON, and
CARLOS COLEMAN,
a/k/a “Fat Boy,”**

did knowingly and intentionally distribute in excess of five kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance, and did aid and abet the same.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

COUNT THREE

(Distribution of Two Kilograms of Cocaine)

THE GRAND JURY FURTHER CHARGES:

From on or about February 24, 2001 to on or about February 25, 2001, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, and elsewhere, defendants,

**BYRON DARBY,
a/k/a “Bubba,
WENDELL MASON, and
CARLOS COLEMAN,
a/k/a “Fat Boy,”**

did knowingly and intentionally distribute in excess of 500 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance, and did aid and abet the same.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and Title 18, United States Code, Section 2.

COUNT FOUR

(Possession with Intent to Distribute Fifteen Kilograms of Cocaine)

THE GRAND JURY FURTHER CHARGES:

On or about June 14, 2001, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, and elsewhere, defendants,

**BYRON DARBY,
a/k/a "Bubba,
WENDELL MASON,
CARLOS COLEMAN,
a/k/a "Fat Boy," and
KEITH WRODA,**

did knowingly and intentionally possess with intent to distribute in excess of five kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II narcotic controlled substance, and did aid and abet the same.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

COUNT FIVE

(Possession with Intent to Distribute Crack Cocaine)

THE GRAND JURY FURTHER CHARGES:

On or about June 19, 2001, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendant

DANA WILLIAMS

did knowingly and intentionally possess with intent to distribute in excess of five grams of a mixture and substance containing a cocaine base (“crack”), a Schedule II narcotic controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT SIX

(Money Laundering)

THE GRAND JURY FURTHER CHARGES:

1. On or about May 15, 2000, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania and elsewhere, defendant

DANA WILLIAMS

knowingly conducted a financial transaction affecting interstate commerce, that is, the purchase of real property described as 108 Westwood Lane, Swedesboro, New Jersey, by tendering payment and causing the payment of \$75,000, representing the initial down payment toward the purchase price.

2. When conducting, aiding, abetting, and causing this financial transaction, defendant **DANA WILLIAMS** knew that the property involved represented the proceeds of some form of unlawful activity.

3. The payment described in paragraph 1 of this Count involved the proceeds of specified unlawful activity, that is, the distribution of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 846, and defendant **DANA WILLIAMS** acted knowing that the financial transaction was designed in whole or in part to conceal and disguise the nature, source, location, ownership and control of the said proceeds of the specified unlawful activity.

In violation of Title 18, United States Code, Sections 1956 (a)(1)(B)(i) and 2.

COUNT SEVEN

(Tax Evasion)

THE GRAND JURY FURTHER CHARGES:

At all times material to this Count:

1. Defendant **WENDELL MASON** received approximately \$72,800 in gross income from his drug trafficking activity.

2. On or about April 15, 2000, in the Eastern District of Pennsylvania, defendant

WENDELL MASON,

a resident of Philadelphia, Pennsylvania, willfully attempted to evade and defeat an income tax due and owing by him to the United States of America for the calendar year 1999 by failing to make an income tax return on or about April 15, 2000, as required by law, to any proper officer of the Internal Revenue Service, and by failing to pay to the Internal Revenue Service this income tax, and by concealing and attempting to conceal from all proper officers of the United States of America his true and correct income through various means, including, among other things, concealing the proceeds of his drug trafficking activity from his tax preparer by affirmatively misrepresenting his true taxable income.

In violation of Title 26, United States Code, Section 7201.

COUNT EIGHT

(Tax Evasion)

THE GRAND JURY FURTHER CHARGES:

At all times material to this Count:

1. Defendant **WENDELL MASON** received approximately \$83,310 in gross income from his drug trafficking activity.

2. On or about April 15, 2001, in the Eastern District of Pennsylvania, defendant

WENDELL MASON,

a resident of Philadelphia, Pennsylvania, willfully attempted to evade and defeat an income tax due and owing by him to the United States of America for the calendar year 2000 by failing to make an income tax return on or about April 15, 2001, as required by law, to any proper officer of the Internal Revenue Service, and by failing to pay to the Internal Revenue Service this income tax, and by concealing and attempting to conceal from all proper officers of the United States of America his true and correct income through various means, including, among other things, concealing the proceeds of his drug trafficking activity from his tax preparer by affirmatively misrepresenting his true taxable income.

In violation of Title 26, United States Code, Section 7201.

COUNTS NINE AND TEN

(Failure to File)

THE GRAND JURY FURTHER CHARGES:

1. From in or about January of 1999, through in or about December of 2000, defendant

WENDELL MASON

received gross income consisting of proceeds from drug trafficking, that is, approximately \$72,800 for the calendar year 1999, and approximately \$83,310 for the calendar year 2000.

2. During the calendar years set forth below, in Philadelphia, Pennsylvania, in the Eastern District of Pennsylvania, defendant

WENDELL MASON,

a resident of Philadelphia, Pennsylvania, had and received gross income substantially in excess of the minimum filing requirement, as set forth below, and that by reason of such gross income he was required by law, following the close of each calendar year and on or before April 15 of the following year, to make an income tax return to the Director, Internal Revenue Service Center, at Philadelphia, Pennsylvania, or other proper officer of the United States, stating specifically the items of his gross income and any deductions and credits to which he was entitled; that knowing this, he willfully failed to make an income tax return to the Director of the Internal Revenue Service Center, or to any other proper officer of the United States:

COUNT	YEAR	GROSS INCOME FILING REQUIREMENT
Nine	1999	\$72,800
Ten	2000	\$83,310

In violation of Title 26, United States Code, Section 7203.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES:

1. The averments of Counts One through Four, inclusive, of this indictment are incorporated by reference.

2. As a result of the violations of Title 21, United States Code, Sections 846 and 841 (a)(1) as set forth in Counts One through Four, inclusive, defendants,

**BYRON DARBY,
a/k/a "Bubba,
WENDELL MASON,
CARLOS COLEMAN,
a/k/a "Fat Boy,"
DANA WILLIAMS,
a/k/a "Lil Man,"
KEITH WRODA,
JULIUS THIGPEN,
a/k/a "June," and
DEBRA MCDUFFIE,**

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, jointly and severally, their interests in the following property:

- A. All property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of these violations, including, but not limited to, United States currency in the amount of \$124,469 seized from 22B Hopewell Lane, Sicklerville, New Jersey, on June 15, 2001.
- B. If any of the property described above as being subject to forfeiture, as a result of any act or omission of defendants,

**BYRON DARBY,
a/k/a "Bubba,
WENDELL MASON,**

**CARLOS COLEMAN,
a/k/a “Fat Boy,”
DANA WILLIAMS,
a/k/a “Lil Man,”
KEITH WRODA,
JULIUS THIGPEN,
a/k/a “June,” and
DEBRA MCDUFFIE,**

1. cannot be located upon the exercise of due diligence;
2. has been transferred or sold to, or deposited with, a third party;
3. has been placed beyond the jurisdiction of the Court;
4. has been substantially diminished in value; or
5. has been commingled with other property which cannot be divided
without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants, up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney